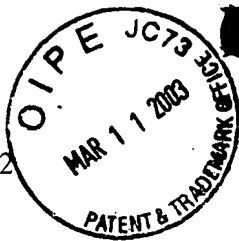


P21351.A02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Daisuke KOREEDA et al.

Group Art Unit: 2873

Appl No : 09/987,871

Examiner: M. ABUTAYEH

Filed : November 16, 2001

For : A COMPLEX LENS FOR A TANDEM SCANNING OPTICAL  
SYSTEM AND A MANUFACTURING METHOD THEREOF

**RESPONSE TO ELECTION REQUIREMENT WITH TRAVERSE**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

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In response to the Examiner's Election Requirement of February 11, 2003, setting a thirty day period for response extending until March 11, 2003, Applicants elect the invention of Group I, with traverse, for the reasons expressed below. Claims 1 - 3 are considered to be "readable" on the invention of Group I (as set forth by the Examiner).

Applicants respectfully traverse the Restriction Requirement. The Examiner has characterized the inventions of Groups I and II as "related as process of making and product made". The Examiner has stated that the "the process as claimed can be used to make a wide range of ornamental plastic articles; moreover, the product as claimed can be made by a materially different process such as Grinding or Cutting."

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Even if the Examiner's characterization of Groups I and II as defining "related as process of making and product made" were to be considered correct, Applicants respectfully request that all of the inventions defined in claims 1-6, nevertheless, be examined in the instant application, pursuant to the guidelines set forth in M.P.E.P. §803. That is, the Examiner is respectfully requested to reconsider the requirement and find that there would not appear to be a "serious burden" on the Patent and Trademark Office in examining claims directed to the non-elected invention since the Examiner will have to search for complex lens structure quite similar to that of claims 4-6 while searching for the manufacturing method of a complex lens of claims 1-3.

It would appear that the search for the inventions identified by the Examiner would be coextensive or at least significantly overlap. That is, if the Examiner were to perform a search for the invention of Group I, there would not appear to be a serious burden in continuing the examination of the other invention of Group II. For this reason, and consistent with office policy as set forth in M.P.E.P. 803, Applicants respectfully request that the Examiner reconsider and withdraw the Requirement for Restriction.

For the foregoing reasons, it is submitted that the Requirement for Restriction in this application is improper and it is respectfully requested that it be reconsidered and withdrawn.

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Should there be any questions, the Examiner is invited to contact the undersigned  
at the below listed number.

Respectfully submitted,  
Daisuke KOREEDA et al.

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Attorney Docket No. P21351

In re application of : Daisuke KOREEDA et al.

Serial No. : 09/987,871

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MANUFACTURING METHOD THEREOF

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith is an election with traverse in the above-captioned application.

- \_\_\_ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.  
\_\_\_ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.  
\_\_\_ A Request for Extension of Time.  
☒ No additional fee is required.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 6	20*	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 2	*3*	0	x 42=	\$	x 84=	\$0.00
Multiple Dependent Claims Presented			+140=	\$	+280=	\$0.00
Extension Fees for Month				\$		\$0.00
Total:				\$	Total:	\$0.00

\*If less than 20, write 20

\*\*If less than 3, write 3

\_\_\_ Please charge my Deposit Account No. 19-0089 in the amount of \$\_\_\_\_\_.

N/A A Check in the amount of \$\_\_\_\_\_ to cover the \*filing/extension\* fee is included.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

\_\_\_ Any additional filing fees required under 37 C.F.R. 1.16.

\_\_\_ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136) (a)(3)

Will. E. Lyndall, Reg. No.  
Bruce H. Bernstein 41,568  
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